

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF WEST VIRGINIA**

Friedrichs Harris, Administrator of the  
Estate of Evan M. Harris, deceased,

Plaintiff,

v.

Civil Action No. 2:16-cv-46  
Judge Bailey

Q & A Associates, Inc.  
Angela Shockley, Individually,  
Keith Bishop, Individually,  
Matthew Shockley, Individually,  
Sandy Schmiedeknecht, Individually, and,  
Tammy Robbins, Individually,

Defendants.

**PLAINTIFF'S PROPOSED VERDICT FORM**  
**SPECIAL INTERROGATORIES**

1. We the jury find that Rick Harris has proven by a greater weight of the evidence that the death of Evan Harris was proximately caused by the negligence of the Defendants.

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

2. We the jury find that Rick Harris has proven by a greater weight of the evidence that the death of Evan Harris was proximately caused by the intentional or reckless conduct of the Defendants.

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

3. We the jury find that Rick Harris has proven that the Defendants violated the West Virginia Consumer Protection Act and that the violations of the Act were a proximate cause of the death of Evan Harris.

\_\_\_\_\_ Yes \_\_\_\_\_ No

If you answered NO to question No. 1, and question No. 2, and question No. 3, you do not need to answer any further questions. The jury Foreperson should sign the Verdict Form and alert the bailiff that you have reached a verdict.

4. We the jury find that the following Defendants were negligent or reckless in the following percentages that were a proximate cause of the death of Evan Harris:

Q & A Associates, Inc.	_____
Angela Shockley	_____
Keith Bishop	_____
Matthew Shockley	_____
Sandy Schmiedeknecht	_____
Tammy Robbins	_____
Other Employees of Q & A	_____
Total:	100%

5. We the jury find that the beneficiaries of the Estate of Evan Harris are entitled to the following economic damages:

a. Future financial support that Evan Harris would have contributed to the family:

\$ \_\_\_\_\_

b. Future losses of gifts or benefit that the family would have expected to receive from Evan Harris in the future:

\$ \_\_\_\_\_

c. Future household services that Evan Harris would have provided to the family:

\$ \_\_\_\_\_

d. Funeral and burial expenses:

\$ \_\_\_\_\_

e. The loss of Evan Harris's love, companionship, comfort, care, assistance, protection, affection, society, and moral support, his training and guidance from January 24, 2016 to the present suffered by Rick Harris:

\$ \_\_\_\_\_

f. The loss of Evan Harris's love, companionship, comfort, care, assistance, protection, affection, society, and moral support, his training and guidance from January 24, 2016 to the present suffered by Kathy Harris:

\$ \_\_\_\_\_

g. The loss of Evan Harris's love, companionship, comfort, care, assistance, protection, affection, society, and moral support, his training and guidance from January 24, 2016 to the present suffered by E. Harris, Evan's sister:

\$ \_\_\_\_\_

h. The loss of Evan Harris's love, companionship, comfort, care, assistance, protection, affection, society, and moral support, his training and guidance suffered by Rick Harris in the future for the rest of his natural life:

\$ \_\_\_\_\_

i. The loss of Evan Harris's love, companionship, comfort, care, assistance, protection, affection, society, and moral support, his training and guidance suffered by Kathy Harris in the future for the rest of her natural life:

\$ \_\_\_\_\_

j. The loss of Evan Harris's love, companionship, comfort, care, assistance, protection, affection, society, and moral support, his training and guidance from January 24, 2016 to the present suffered by E. Harris, Evan's sister, in the future:

\$\_\_\_\_\_

k. If you found that the conduct of these Defendants was reckless and it caused Rick Harris to suffer severe emotional distress, you are to make an award of money damages for that emotional distress that Rick Harris sustained:

\$\_\_\_\_\_

l. If you found that the conduct of these Defendants was reckless and it caused Kathy Harris to suffer severe emotional distress, you are to make an award of money damages for that emotional distress that Kathy Harris sustained:

\$\_\_\_\_\_

m. If you found that the conduct of these Defendants was reckless and it caused E. Harris, Evan's sister, to suffer severe emotional distress, you are to make an award of money damages for that emotional distress that E. Harris sustained:

\$ \_\_\_\_\_

6. We the jury find by a greater weight of the evidence that Evan M. Harris suffered emotional distress prior to his death which was proximately caused by the conduct of these Defendants in the percentages that were indicated above and award the Estate of Evan M. Harris the sum of \$ \_\_\_\_\_ to compensate him for such emotional distress.

7. We the jury find by clear and convincing evidence that the reckless conduct of these Defendants justifies award of punitive damages against them in the amount of \$ \_\_\_\_\_, based upon their percentages of fault previously assessed by us.

\_\_\_\_\_  
Jury Foreperson

\_\_\_\_\_  
Date

Respectfully submitted,

Friedrichs Harris, Administrator

*s/David A. Sims*

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David A. Sims (#5196)  
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**CERTIFICATE OF SERVICE**

I David A. Sims as counsel for Plaintiff do hereby certify that I served the attached Plaintiff's Proposed Jury Instructions through the CM/ECF service:

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Dated at Vienna, West Virginia on this 7<sup>th</sup> day of May 2018.

Friedrichs Harris, Administrator  
By counsel,

/s/David A. Sims

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